

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

MELISA STEWART, Individually;

Plaintiff,

vs.

PRECISE PROPERTIES, LLC,
HAROLD'S KOFFEE HOUSE, INC., AND
JOHN DOES 1 - 2 INCLUSIVE,

Defendants.

8:15CV376

ORDER

Plaintiff has filed a motion to reconsider the court's order granting Defendants an award of fees and costs incurred in filing a motion to compel. (Filing No. 43). The motion to reconsider includes, for the first time, Plaintiff's explanation for failing to timely respond to Defendants' written discovery. It does not, however, explain why Plaintiff's counsel failed to respond to the emails and phone calls from defense counsel regarding the unanswered discovery, (Filing No. 39-1), why Plaintiff filed no response to Defendant's motion to compel, and why counsel never responded to the motion for sanctions even after the court entered an order, *sua sponte*, extending the deadline for doing so. (Filing No. 41).

Based on the facts and filings of record,

IT IS ORDERED that Plaintiff's motion to reconsider, (Filing No. 43), is denied.

November 23, 2016

BY THE COURT:

s/ Cheryl R. Zwart
United States Magistrate Judge